

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KRISTOPHER R. OLSON,
CHRISTOPHER LOPEZ, WARREN
BARBER, CHRISTOPHER CLIFFORD,
AND ERIK LIPTAK, individually
and on behalf of all others
similarly situated,

Plaintiffs,
-against-

20 CIVIL 632 JSR)

JUDGMENT

MAJOR LEAGUE BASEBALL; MLB
ADVANCED MEDIA, L.P.; HOUSTON
ASTROS, LLC; and BOSTON RED
SOX BASEBALL CLUB, L.P.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated April 3, 2020, In short, the connection between the alleged harm plaintiffs suffered and defendants' conduct is simply too attenuated to support any of plaintiffs' claims for relief. While the verbose, rhetorical, and largely conclusory complaint does manage to plausibly allege a few misrepresentations by defendants, these statements, which are unrelated to fantasy baseball, do not plausibly support plaintiffs' claims of reliance. Moreover, plaintiffs provide no basis for imposing a duty to disclose on defendants absent a transaction or other relationship between themselves and the defendants. This absence of duty and reliance forecloses

plaintiffs' fraud and negligence claims, and the lack of a transaction, relationship, or other nexus forecloses plaintiffs' consumer protection claims. Finally, plaintiffs' failure to demonstrate that defendants' enrichment came at their expense forecloses their unjust enrichment claims. While a few of these deficiencies might conceivably be cured by giving plaintiffs another chance to amend their already amended complaint, most could not. Defendants' motions to dismiss are thus granted in their entirety, and plaintiffs' Amended Complaint is hereby dismissed with prejudice.

Dated: New York, New York

April 7, 2020

RUBY J. KRAJICK

BY:

Clerk of Court

Deputy Clerk